

City of Torrington       )  
County of Goshen       )  
State of Wyoming       )

The Torrington City Council met in regular session on Tuesday, April 21, 2020 in the City Council Chambers at 436 East 22<sup>nd</sup> Avenue and via Zoom Web Conferencing at 7:00 p.m. Present in the City Council Chambers via Zoom Web Conferencing: Mayor Adams and Deputy City Clerk Anaya. Present at Remote Locations via Zoom Web Conferencing: Council Members Hill, Kinney and Law, Clerk/Treasurer Strecker, Attorney Eddington, Director of Public Works Harkins, Interim Chief of Police Matthews and Building Official Estes.

Mayor Adams called the meeting to order. He announced that the Council meeting is being conducted via a Zoom Web Conferencing format and indicated that the meeting is also being broadcasted live by KGOS/KERM. Mayor Adams stated that he will ask for public comments, questions or concerns near the end of the meeting and at that time anyone wishing to address the Mayor and Council can do so by calling (307) 534-4790 or by utilizing the Zoom Question and Answer (Q&A) feature.

Deputy City Clerk Anaya led the Pledge of Allegiance.

Mayor Adams stated that following the April 7, 2020 Council meeting, Councilman Matthew Mattis resigned from his seat on the Torrington City Council because his new official residence is located outside of the City limits. State statutes require, among other things, that an elected councilperson reside in the City limits of the municipality that they represent. Mayor Adams commented that former Councilman Mattis' thoughtful and intellectual approach to the position will be missed and indicated that the City wishes him well. He stated that following some discussion and legal advice on the matter it has been decided that since the election sign-up period is but a month away at this point (May 14-29, 2020), that the City of Torrington will let the public decide via the election process who the candidates will be. Once the candidates are known the Mayor and Council will consider the options that they have to fill the seat. Mayor Adams commented that City officials are participating in daily webinars, conferences and discussions at the state and local levels regarding the COVID-19 crisis. He indicated that at this point, the orders delivered by Governor Gordon, the Wyoming State Health Officer (Alexia Harrist), the County Health Official (Marion Smith), County and City Emergency Management personnel, and Heather Saul and Kelly Beard with Goshen County Public Health will be the guideline that the City of Torrington and the rest of the local governments in Goshen County follow. Mayor Adams stated that the orders, at this point, are clear and enforceable until April 30, 2020, at which time they may or may not change. He commented that he has had numerous conversations with County Attorney Boyer in regards to what is happening in the community and in the County. Mayor Adams indicated that he and County Attorney Boyer recommend that the citizens of Torrington adhere to the following recommendations: 1. Continue to practice social distancing and avoiding groups of ten or more; 2. Wear a mask when conducting necessary public business; 3. Wash hands often; 4. Sneeze or cough into elbow; and 5. Stay home and only leave for significant reason. Mayor Adams stated that Goshen County Public Health is advising that Wyoming has not yet reached its peak level of infection and that the community should be able to determine how to proceed after May 1, 2020. He commented that the fact that the County has had no new cases reported in the last couple of weeks indicates that the members of the community are doing a great job of protecting themselves and others. Mayor Adams encouraged the public to keep up the good work as it is making a difference. He indicated that the three confirmed COVID-19 cases in Goshen County have all recovered which is a good sign. Unfortunately, four more Wyoming citizens have died from the COVID-19 virus increasing the state's total deaths to six. Mayor Adams stated that some anticipated results of the crisis are that revenues to the state, counties and municipalities are expected to be down as much as 40% below normal. Therefore, the City of Torrington is asking its department heads to significantly cut their budget requests. He commented that the Governor has put a hiring freeze in place at the state level and has asked state agencies to reduce their budgets as well. Some government entities across the state are cutting staff in a cost saving effort. Predicting how much, when and how long this crisis will last is anybody's guess. Mayor Adams indicated that on a positive note, the City received a check in the amount of \$14,265.49 from Wyoming Community Gas (WCG) as a result of the support from the community in the selection of WCG as their natural gas supplier. The contribution funds that the City receives on behalf of WCG are used for several community projects. Mayor Adams reminded the public that the Choice Gas Program is currently underway and that the selection period for the program will only be valid through Thursday, April 23, 2020. He encouraged the public to participate in the selection process through the City of Torrington and to select WCG as their supplier in order to reap group balloting benefits and to increase the community contribution funds that the City will receive next year. Mayor Adams commented on the progress of various projects throughout the City: 1. The East D Street Water Line Project water line portion of the project is complete and the contractor is working on concrete repairs along the east side of the street; 2. Work has begun on the West C Street Water Line Project and will continue for likely another couple of weeks; 3. The walking path on the east side of the City between 20<sup>th</sup> and 22<sup>nd</sup> Avenue is nearly complete and a bid opening was

held on April 8, 2020 for the completion of the West 15<sup>th</sup> Avenue walking path; 4. Construction has begun for the Evergreen Plaza Project. The project will continue into 2021 before completion; 5. The Eastern Wyoming College ATEC Project continues now at a faster rate since the weather has improved; 6. A six million dollar project began yesterday (04-20-20) at the airport involving runway repairs and improvements, and a new taxiway; and 7. Work continues at Community Hospital on a significant upgrade to the north side of the hospital structure. Mayor Adams stated that all of the high dollar projects previously mentioned are a reflection of the positive and forward thinking investments that local banks, the State of Wyoming and the citizens of the community are making as the community as a whole moves forward into the year 2020.

Councilwoman Hill moved and Councilman Law seconded to approve the consent agenda which includes the minutes from the 04-07-20 Council meeting as published and all actions therein be ratified. Motion carried unanimously.

Councilman Kinney moved and Councilwoman Hill seconded to approve the agenda as presented. Motion carried unanimously.

Attorney Eddington read a proclamation declaring April 24, 2020 as Arbor Day in the City of Torrington. It urged all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and to plant trees to gladden the heart and promote the well-being of this and future generations. Mayor Adams stated that due to the COVID-19 crisis the public tree planting ceremony in honor of Arbor Day has been postponed to the Fall of 2020. Councilman Law moved and Councilwoman Hill seconded to approve the proclamation as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE ANNEXING WITHIN THE CORPORATE LIMITS OF THE CITY OF TORRINGTON, WYOMING, REAL PROPERTY TO BE KNOWN AS THE "EAST U.S. HIGHWAY 26 2019 ANNEXATION". He stated as a reminder that the property being annexed is a small strip of U.S. Highway 26 that starts at East M Street and continues east to the east side of the Holiday Inn Express and indicated that the annexation request came about because of police jurisdictional issues. Mayor Adams inquired if City staff has received any public comments regarding the annexation request. Building Official Estes confirmed no. Councilman Kinney moved and Councilman Law seconded to approve Ordinance No. 1227 as presented on third reading. Motion carried unanimously.

Director of Public Works (DPW) Harkins presented for approval Addendum No. 3 to the Agreement for Professional Services with M.C. Schaff and Associates, Inc. (MCS) in the "not-to-exceed" amount of \$14,670.00. He stated that on October 8, 2018, the City entered into a five year agreement for professional services with MCS to provide engineering services related to the Torrington Municipal Airport. DPW Harkins commented that Addendum No. 3 is for the design, bidding, acquisition and closeout services for snow removal equipment at the airport. He indicated that 90% of the \$14,670.00 engineering cost is reimbursable by the Wyoming Department of Transportation (WYDOT), therefore the City's share would only be 10% or approximately \$1,467.00. DPW Harkins stated that the cost of the new snow plow is estimated at \$200,000.00 and is also 90% reimbursable by WYDOT. That specific piece of the project has been requested in the FY 2021 Budget. Councilman Kinney commented that the initial paragraph of the agreement recognizes that the contract is between MCS (CONSULTANT) and the City of Torrington (CITY) and indicated that the term *Sponsor* is used intermittently throughout the body of the document when referring to the City of Torrington. He indicated that since the term *Sponsor* is not defined it is inconsistent and needs to be corrected. DPW Harkins stated that he will have MCS review the agreement and make the necessary editorial changes to clean up the document and make all references to the City of Torrington within the contract consistent. Councilman Kinney inquired about the sub-section of the agreement that states, "Revise and submit specifications, contract documents and Engineer's Design Report, one time, within 14 days of receipt of comments from the WYDOT..." and in specific if the one time service is sufficient for the services needing to be rendered. DPW Harkins responded that he does not anticipate that back and forth correspondence will be necessary in order to finalize the specifications of the snow removal equipment, therefore the one time service is sufficient. Councilman Kinney asked about the Indirect Cost listed on Exhibit A of the agreement and in particular if the 214.41% is accurate. He indicated that 214.41% seems excessive and inquired if MCS could give a further explanation as to what the cost is for and show proof that that much is needed. DPW Harkins replied that he will contact MCS and have them provide a breakdown as to what that specific cost entails and how the 214.41% was figured. Councilwoman Hill questioned if this particular agenda item should be tabled until MCS makes the requested editorial changes to the agreement and answers all questions related to the Indirect Cost. Attorney Eddington commented that it is up to the discretion of the Mayor and Council if they want to table the agenda item or approve it subject to satisfaction after contact is made with MCS and further explanation(s) are provided. He stated that the recommended editorial changes are not a significant issue as they will not modify the terms of the agreement in any way. DPW Harkins indicated that the agenda item can be tabled. It is not a critical item that needs to be approved immediately and it is not time sensitive due to the fact that the snow removal equipment portion of the project will not take place until next fiscal year. Councilwoman Hill moved and Councilman Kinney seconded to table Addendum No. 3 to the Agreement for Professional Services with M.C. Schaff and Associates, Inc. Motion carried unanimously.

Director of Public Works (DPW) Harkins presented the bid results for the 2019 CDBG Water Line Rehabilitation Project. He stated staff recommended awarding the bid to Paul Reed Construction of Gering, Nebraska in the amount of \$255,698.20. In addition, staff recommends using the remaining CDBG funding in the amount of \$164,477.80 to pay for the engineering of the project (\$25,480.00) and other street improvements and to reserve the \$105,044.00 of City matching funds as a contingency for a project total of \$525,220.00. DPW Harkins commented that the bid award will be contingent upon the City receiving a notice to proceed with the project from CDBG staff. He indicated that CDBG staff has not given the City the notice to proceed yet but that City staff is anticipating that the notice will be received relatively soon. DPW Harkins stated that the project consists of constructing 1,065 feet of 8" PVC water line and abandoning the existing 4" ductile iron water line in place. As this is a CDBG funded project with \$420,176.00 available, City staff plans to use the remaining grant funds to replace all of the curb and gutter along the west side of the street in the project area, replace curb and gutter on the east side of the street between 21<sup>st</sup> and 22<sup>nd</sup> Avenue, construct ADA ramps at eight intersection corners, replace two catch basin inlets and perform other ancillary work to maximize the use of the grant funding. DPW Harkins commented that the estimated cost of the project with the additions is around \$355,000.00. He indicated that a bid opening was held on January 8, 2020 for the project and three contractors submitted bids in conformance with the bidding requirements. The low bid from Paul Reed Construction was \$255,698.20 (205.4%) under the engineer's estimate of \$525,220.00. Mayor Adams stated that Paul Reed Construction is currently mobilized in Torrington and working on another City project, therefore it would be extremely beneficial to the City if the notice to proceed for this project is received prior to Paul Reed Construction substantially completing the project that they are currently working on and vacating. He commented that he and DPW Harkins are in constant communication with CDBG staff and that they keep getting reassured that the notice to proceed will be received soon. Councilman Kinney moved and Councilwoman Hill seconded to award the bid to Paul Reed Construction of Gering, Nebraska in the amount of \$255,698.20, to use the remaining CDBG funding in the amount of \$164,477.80 to pay for the engineering of the project (\$25,480.00) and other street improvements and to reserve the \$105,044.00 of City matching funds as a contingency for a project total of \$525,220.00 as presented. Motion carried unanimously.

Director of Public Works (DPW) Harkins presented the bid results for the 2020 West 15<sup>th</sup> Avenue Walking Path. He stated staff recommended awarding the bid to J-Built Homes, Inc. of Torrington, Wyoming in the amount of \$50,386.00, no contingency amount is requested. DPW Harkins commented that the project consists of the construction of 2,220 lineal feet of 6' wide pathway, which is the balance of the walking path that was completed in the Fall of 2019. He indicated that a bid opening was held on April 8, 2020 for the project. Two contractors submitted bids in conformance with the bidding requirements and two contractors submitted bids that were not in conformance with the bidding requirements due to mobilization exceeding 10% of their total bids. Councilman Law moved and Councilman Kinney seconded to award the bid to J-Built Homes, Inc. of Torrington, Wyoming in the amount of \$50,386.00 as presented. Motion carried unanimously.

Director of Public Works (DPW) Harkins presented the bid results for the 2020 Emergency Generator for Well #15. He stated staff recommended awarding the bid to High Pointe Electric of Torrington, Wyoming in the amount of \$105,945.99 and reserve \$14,894.01 (14.06%) for contingency for a project total of \$120,840.00. DPW Harkins commented that the Department of Homeland Security is funding 100% of the project. He indicated that the project consists of the installation of a new 175 KW emergency generator, transfer switch and security fencing for Well #15 located at West A Street and 14<sup>th</sup> Avenue. DPW Harkins stated that a bid opening was held on April 8, 2020 for the project and three contractors submitted bids in conformance with the bidding requirements. Councilwoman Hill moved and Councilman Law seconded to award the bid to High Pointe Electric of Torrington, Wyoming in the amount of \$105,945.99 and reserve \$14,894.01 (14.06%) for contingency for a project total of \$120,840.00 as presented. Motion carried unanimously.

The bills from 04-08-20 to 04-21-20 were presented for payment. Councilman Kinney moved and Councilman Law seconded to approve the bills for payment as presented. Motion carried unanimously.

Mayor Adams asked for public comments, questions or concerns. He stated as a reminder that anyone wishing to address the Mayor and Council can do so by calling (307) 534-4790 or by utilizing the Zoom Question and Answer (Q&A) feature.

Councilwoman Hill inquired if the ongoing project on West C Street will resolve some of the deterioration issues of the road surface on that particular street. Mayor Adams responded that street sections that are disturbed in the project area (23<sup>rd</sup> to 25<sup>th</sup> Avenue) will be resurfaced.

Councilman Kinney stated that he appreciates the fact that two of the three projects that were awarded bids were awarded to local contractors.

Tom Milstead addressed the Mayor and Council. He inquired about the vacant seat on the Torrington City Council and in specific if Mayor Adams' statement about the City utilizing the election process to fill the seat means that the seat will be vacant until November of 2020 or if candidates will be considered as they emerge. Mayor Adams replied that the election sign-up period (May 14-29, 2020)

will generate a list of candidates that are interested in the Council position. He indicated that the City at that point will be able to review that list and consider its options further. Mayor Adams stated that there are several other options that have not been discussed yet but that there really is no point in appointing someone at this moment being that the election sign-up period is less than a month away.

Councilwoman Hill moved and Councilman Kinney seconded that there being no further business to come before the Mayor and Council to adjourn at 7:43 p.m. Motion carried unanimously.

The following bills were approved for payment: 68213 AFLAC payroll withholding 439.92; 68214 NCPERS GROUP LIFE INS payroll withholding 160.00; 68215 CIRCUIT COURT OF GOSHEN CO payroll withholding 369.81; 68216 CITY OF TORRINGTON payroll withholding 214.17; 68217 DENT, DAVID A. Golf Pro Payable 1022.23; 68218 FAMILY SUPPORT REGISTRY payroll withholding 235.97; 68219 GOSHEN CO DISTRICT COURT CLERK payroll withholding 100.00; 68220 GREAT-WEST TRUST CO LLC payroll withholding 2536.00; 68221 NEW YORK LIFE payroll withholding 369.37; 68222 WASHINGTON NATIONAL INSURANCE CO payroll withholding 32.70; 68223 WY CHILD SUPPORT ENFORCEMENT payroll withholding 262.61; 68224 WYRULEC CO Landfill Electric 377.22; 68225 TRANSWEST FORD LLC 2020 Ford Pickup 52282.00; 68226 ANDERSON, DAVID final bill-deposit return 165.84; 68227 CURRY, DEBRA notary filing reimb 15.00; 68228 SUSAN MCGUIRE final bill-deposit return 314.64; 68229 ACTION COMMUNICATIONS INC. repeater maint, radio antenna/coax/connectors 247.12; 68230 AIRNAV LLC renewal-basic listing 57.00; 68231 ALLWATER SUPPLY LLC free chlorine sensor 1238.13; 68232 AVOCATION SOFTWARE laser invoices 156.25; 68233 EAC SUBMISSIONS electronic claims submission 76.50; 68234 BACKFLOW PREVENTION SUPPLY INC. backflow testing items, test cock low leads 1108.98; 68235 BAILEY NURSERIES INC. trees 837.25; 68236 BLACK HILLS ENERGY utilities-gas 2861.66; 68237 BLUE TARP FINANCIAL INC. respirators, filters 113.94; 68238 CANON FINANCIAL SERVICES INC. copier contracts 839.00; 68239 CITYSERVICEVALCON LLC Phillips 66 terminal maint fee 16.00; 68240 CITY OF TORRINGTON shipping fee, supply reimb, meal-ambulance, title fee 40.43; 68241 CITY OF TORRINGTON WCG/COT Golf License 460.00; 68242 COWBOY CLINIC & URGENT CARE office visit/testing 75.00; 68243 CRESCENT ELECTRIC SUPPLY CO conduit, wire, elbows 260.53; 68244 D A R E tobacco compliance checks 200.00; 68245 DECKER, STEVE sandbur control granules, deep root mix 4318.00; 68246 DPC INDUSTRIES INC. sodium hypo 2734.20; 68247 NORTHERN EXPOSURE COMPUTER CENTER router/comp supplies 20.00; 68248 E P CONSTRUCTION install concrete around manholes in alleys 6354.32; 68249 ENERGY LABORATORIES INC. lab testing 711.00; 68250 EREPLACEMENTPARTS.COM LLC chute assy, bagger-mower 192.51; 68251 FRITZLER, LARRY & DEBORAH pump septic tanks 306.00; 68252 FRONTIER PRECISION INC. software maint extension stocks 590.00; 68253 GALLS LLC baton holder 30.50; 68254 GLOBAL EQUIPMENT CO elec glove storage container 55.29; 68255 GOSHEN CO ECONOMIC monthly contribution 2500.00; 68256 GOSHEN DIESEL SERVICE replace batteries/service-TVFD Eng 6 1177.00; 68257 GREATAMERICA FINANCIAL SERVICES CORP copier leases 434.00; 68258 HARDY AVIATION INSURANCE aviation insurance renewal 1978.00; 68259 THE HARTFORD bond-City Treasurer 200.00; 68260 HICKEY & EVANS LLP complaint, power cost adjustment factor filing 2020 6498.00; 68261 HORIZON WEST INC. bolts, screws 8.23; 68262 MATTHEW M. HUTT PHD pre-employment evaluation 450.00; 68263 JAMES A. EDDINGTON PC City Attorney/extended hours 7134.55; 68264 POWERPLAN shims 155.52; 68265 LS ENTERPRISES LLC lift station cleaning 1306.25; 68266 LIFEMED SAFETY INC. grid paper 109.48; 68267 LONG II, DEREK J. deep root tree/new tree fertilization, tree spraying 2450.00; 68268 LUJAN CLEANING SERVICE LLC cleaning, window cleaning 273.75; 68269 MCI A VERIZON CO long distance/911 call backs 28.34; 68270 MCMASTER-CARR SUPPLY CO strut-mount metal routing clamps 24.81; 68271 M.C. SCHAFF & ASSOCIATES INC. professional services-airport runway design 176192.61; 68272 MERITAIN HEALTH INC. premium-ins/life admin 36766.30; 68273 MIDWEST CONNECT postage labels-neopost machine 59.00; 68274 MOTOROLA SOLUTIONS INC. dispatch 911 service contract 4761.45; 68275 MWC rollout garbage cans 3800.00; 68276 NEWCOMB, JEREMY freon removal from fridge 75.00; 68277 NORTHWEST PIPE FITTINGS INC. flange adapters 1245.29; 68278 PANHANDLE COOP flora facial, alcohol, soft soap, propane/bottles 119.17; 68279 ENVIRO SERVICES INC. lab analysis 90.00; 68280 PATRICK, JOHN B. Municipal Court Judge 2000.00; 68281 PAUL REED CONSTRUCTION & SUPPLY INC. East D Street Water Improvements Project 57056.72; 68282 CITY OF TORRINGTON c/o PINNACLE BANK health reserve non-insured employer premium/MT positions 10309.20; 68283 PINNACLE BANK Level 2 Exam/Distribution System, travel expenses-fuel/meals/lodging, CDL holders, refund, training, zoom-video communication, thermometers, course package, computer accessories, batteries, dhmi cable, air filters, thank you notes, rechargeable lantern system, bottles, clorox, cleaners, flat visor faceshield, carburetor, vacuum, media player read, floor finish, fan propeller, pens, WDS operation/maint manual, wireless keyboard 4518.16; 68284 JERRY POST PSY.D. PC pre-employment exam & protocol costs 400.00; 68285 PRESENTATION SOLUTIONS INC. printing tape, printing machine ribbon 554.13; 68286 QUADIENT FINANCE USA INC. neopost postage 665.45; 68287 QUILL CORPORATION wood organizer 72.99; 68288 REGIONAL CARE INC. select flex admin 88.00; 68289 RUSSELL INDUSTRIES INC. testing-pump, hose assy 1182.00; 68290 SAM'S CLUB/SYCHRONY BANK balance due, kleenex, coffee, tissue, bankers boxes, label maker tape, sheet protectors, sharpies, swiffer dusters 305.22; 68291 VALLEY MOTOR SUPPLY grease absorbents 34.95; 68292 STANDARD INSURANCE CO premium-long term disability 2079.99; 68293 STARR TOOLS advanced cool system press tester, socket openers 351.75; 68294 STUART C IRBY CO glove testing 102.16; 68295

SUEZ WTS USA INC. monthly chemical management 7748.79;68296 SUN RIDGE SYSTEMS INC. RIMS annual support services 7314.00;68297 TIMBERLINE ELECTRIC & CONTROL CORP surge protector device 1452.00;68298 TORRINGTON EMPLOYEES INSURANCE premium 89410.61;68299 TOUCHTONE COMMUNICATIONS long distance 126.69;68300 U S POSTMASTER credit for postage 850.00;68301 W A M-WCCA energy lease-Museum 650.00;68302 GRAINGER portable humidifier consoles,cleansing tissues,smoke pellets,lambskin floor applicator pad 313.02;68303 WF CTS DEBT SERVICE CWMEPs-interest payment on electric bonds 37308.45;68304 WESTERN COOPERATIVE CO used propane tank, misc parts,propane heating,reducers,ball valve,dyed diesel,unleaded gas 5703.75;68305 HICKMAN, MATTHEW WCG sign-new shelter/Jirdon Park 110.00;68306 WY DEPT OF TRANSPORTATION license plate transfer 2.00;68307 WY DEQ - SOLID & HAZARDOUS WASTE DIV landfill closure/post-closure premium 210.21;68308 WILMOTH, REBECCA final bill-deposit return 28.02;68309 TOMSICK, CARA M. final bill-deposit return 53.08;68310 MCDERMID, WILLIAM final bill-credit return 2802.97;68311 AMERICAN TRUST ADMINISTATORS INC. ambulance overpayment refund 654.60;68312 HUTTON, ZACHARIAH final bill-deposit return 16.82;68313 REESE, GARRY & IRENE final bill-deposit return 251.80; 68314 HOFFMAN, STACEY final bill-deposit return 19.28